

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

PYRHÖNEN

Serial No.: 09/269,754

Filing Date: April 7, 1999

For: AN ELECTRIC MACHINE CONSTRUCTION AND A METHOD FOR AN ELECTRIC MACHINE



Group Art Unit: 2834

Examiner: T. Lam

10 2600 MAIL ROOM
JUL 18 2000
7/B
7.25.00

RESPONSE UNDER 37 C.F.R. § 1.121

Commissioner for Patents
Washington, D.C. 20231

July 18, 2000

Sir:

In response to the Office Action dated February 25, 2000, having been duly extended from May 25, 2000, until July 25, 2000, by the attached Petition for Extension of Time, please amend the above identified application as set forth below.

IN THE ABSTRACT:

Attached is an abstract of the disclosure in compliance with 37 C.F.R. § 1.72(b).

IN THE SPECIFICATION:

Please amend the specification as follows:

On page 1, above line 1, insert --TITLE OF THE INVENTION:--

On page 1, above line 2, insert --BACKGROUND OF THE INVENTION:

Field of the Invention:--

On page 1, above line 6, insert --Description of the Related Art:--

On page 2, above line 4, insert --BRIEF SUMMARY OF THE INVENTION:--

On page 3, above line 16, insert --BRIEF DESCRIPTION OF THE DRAWINGS:--

On page 3, above line 24, insert --DETAILED DESCRIPTION OF THE INVENTION:--

REMARKS

The Office Action dated February 25, 2000, has been received and carefully noted. The period for response having been extended from May 25, 2000, until July 25, 2000, by the attached Petition for Extension of Time, the above amendments and the following remarks are submitted as a full and complete response thereto.

The specification is objected to in the Office Action because the application does not contain an Abstract of the disclosure as required by 37 CFR 1.72(b). An Abstract on a separate sheet is respectfully submitted.

The arrangement of the specification is also objected to in the Office Action for failing to provide the proper section headings. Applicant has amended the specification to include the proper section headings as illustrated in the Office Action.

Claims 1-6 and 8-11 were rejected under 35 U.S.C. § 102(e) as being anticipated by Ohashi et al. (U.S. Patent No. 6,018,205). Ohashi was issued on January 25, 2000, and is based upon U.S. Patent Application Serial No. 09/209,445. This application was filed on December 11, 1998. The present invention, although not filed until April 7, 1999, has an effective PCT filing date of October 7, 1997, and claims priority from Finnish Application No. 09/60512, filed on October 8, 1996. Applicant respectfully directs the Examiner's attention to the international filing date. Under PCT rules, the effective U.S. filing date of the present application should be at least the international filing date of October 7, 1997, which predates the filing date of Ohashi. The application should also be entitled to the Finnish filing date of October 8, 1996, even though this date is not necessary to invalidate the reference. Under PCT Article 11 and 35 U.S.C. § 363, Ohashi therefore appears not to be a valid reference under 35 U.S.C. § 102. Accordingly, Applicant respectfully traverses the rejection and submits that Ohashi is an improper reference under 35 U.S.C. § 102(e).

Claims 7 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohashi in view of Sheerin (U.S. Patent No. 5,844,333). Given that Ohashi is an improper reference, the rejection regarding Claims 7 and 12 should be moot.

As discussed above, Applicant respectfully submits that Claims 1-12 are in condition

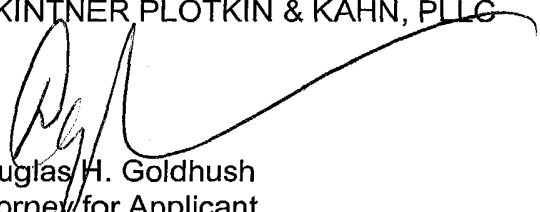
for allowance and respectfully request that this application be issued.

If for any reason the Examiner determines that the application is not in condition for allowance, it is respectfully requested that the Examiner contact by phone the Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event that this paper is not being timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to counsel's Deposit Account No. 01-2300.

Respectfully submitted,

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC



Douglas H. Goldhush
Attorney for Applicant
Reg. No. 33,125

Atty. Docket No.: P108306-09004

1050 Connecticut Avenue, NW, Suite 600
Washington, D. C. 20036-5339
Tel (202) 857-6435
Fax (202) 638-4810

DHG/SH:cla

Enclosure: Abstract
Petition for Extension of Time (2 months)